

12984

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
APPLICATION FOR PERMIT TO APPROPRIATE STATE WATER
(SECTION 11.121, 11.042, 11.085 OR 11.143, TEXAS WATER CODE)
TAC CHAPTERS 30, 50, 281, 287, 288, 295, 297 AND 299
Water Supply Division, Water Rights Permitting MC-160

P.O. Box 13087

Austin, Texas 78711-3087

Telephone (512) 239-4691, FAX (512) 239-4770

(if including a check, mail directly to P.O. Box 13088, Austin, TX 78711-3088)

Notice: This form will not be processed until all delinquent fees and/or penalties owed to the TCEQ or the Office of the Attorney General on behalf of the TCEQ are paid in accordance with the Delinquent Fee and Penalty Protocol.

1. Applicant Information.

A. Applicant Name(s): Decordova Bend Estates

Mailing Address: 5301 Country Club Drive

Granbury, Texas 76049

Telephone Number: (817) 326-2381

Fax Number: (817) 326-5783

Email Address: gm@dcbeweb.com

B. Customer Reference Number (if issued): CN604050427

Note: If you do not have a Customer Reference Number, complete Section II of the Core Data Form (TCEQ-10400) and submit it with this application.

C. Fees and Penalties

Applicant owes fees or penalties?

☐ Yes

☒ No

If yes, provide the amount and the nature of the fee or penalty as well as any identifying number:

D. Lienholder Information

Provide this information on the holder of any liens on any land to which the water right would be appurtenant):

None

2. Dam (structure), Reservoir and Watercourse Data.

A. Type of Storage Reservoir (indicate by checking (✓) all applicable)

☒ on-channel ☐ off-channel ☐ existing structure ☐ proposed structure* ☐ exempt structure**

* Applicant shall provide a copy of the notice that was mailed to each member of the governing body of each county and municipality in which the reservoir, or any part of the reservoir, will be located as well as copies of the certified mailing cards.

** TWC Section 11.143 for uses of water for other than domestic, livestock, or fish and wildlife from an existing, exempt reservoir with a capacity of 200 acre-feet or less. Please complete Paragraph 6 below if proceeding under TWC 11.143.

Date of Construction: Existing structure was constructed in 2007-1-10

B. Location of Structure No. 1

- 1) Watercourse: unnamed tributary
- 2) Location from County Seat: 5.8 miles in a SE direction from Granbury,
Hood County, Texas.
Location from nearby town (if other than County Seat): N/A miles in a N/A direction
from N/A, a nearby town
shown on county highway map.
- 3) Zip Code: 76049
- 4) The dam will be/is located in the J.H. Casper Original Survey No. P-180,
Abstract No. A-137 in Hood County, Texas.
- 5) Station 1 on the centerline of the dam is N 27 ° 30' E (bearing), 850 feet
(distance) from the SE corner of J.H. Casper Original Survey
No. P-180, Abstract No. A-137, in Hood County,
Texas, also being at Latitude 32.252169 °N, Longitude 97.415312 °W.
Provide the Latitude and Longitude coordinates in decimal degrees, to at least six decimal places, and indicate
the method used to calculate the diversion point location.

Used satellite map to locate coordinates of existing diversion point

C. Reservoir:

- 1) Acre-feet of water impounded by structure at normal maximum operating level: 6.0 ac-ft
- 2) Surface area in acres of reservoir at normal maximum operating level: 0.945 acres

D. Drainage Area

The drainage area above the dam is 40.5 acres or 0.063 square miles.

E. Other

- 1) If this is a U.S. Natural Resources Conservation Service (NRCS) (formerly Soil Conservation Service (SCS)) floodwater-retarding structure, provide the Site No. N/A
and watershed project name N/A.
- 2) Do you request authorization to close the "ports" or "windows" in the service spillway?

☐ Yes

☐ No

3. Appropriation/Diversion Request (total amount of water needed, including maximum projected uses and accounting for evaporative losses for off-channel storage, if applicable).

A. Appropriated water will be used as follows:

	Purpose*	Place of Use	Acre-feet per year
1)	Landscape Irrigation	Decordova Bend Estates	400
2)			
3)			

*If agricultural use, list crops(s) to be irrigated:

Turf Grass

B. Lands to be irrigated (if applicable):

- 1) Applicant proposes to irrigate a total of 12.6 acres in any one year. This acreage is all of or part of a larger tract(s) which is described in a supplement attached to this application and contains a total of 20.94 acres in Hood County, Texas. A copy of the deed(s) describing the overall tract(s) with the recording information from the county records is attached.
- 2) Location of land to be irrigated: In the J.H. Casper Original Survey No. P-180, Abstract No. A-137.

C. Diversion Point No. 1.

- 1) Watercourse: unnamed tributary
- 2) Location of point of diversion at Latitude 32.252277 °N, Longitude 97.415552 °W, Provide Latitude and Longitude coordinates in decimal degrees, to at least six decimal places, and indicate the method used to calculate the diversion point location..
- also bearing N 27 ° 30' E, 850 feet (distance) from the SE corner of the J.H. Casper Original Survey No. P-180, Abstract No. A-137, in Hood County, Texas.
- 3) Location from County Seat: 5.8 miles in a South-East direction from Granbury, Hood County, Texas.
- Location from nearby town (if other than County Seat): N/A miles in a N/A direction from N/A, a nearby town shown on county highway map.
- 4) Zip Code: 76049
- 5) The diversion will be (check (✓) all appropriate boxes and if applicable, indicate whether existing or proposed):

	Existing	Proposed
Directly from stream		
From an on-channel reservoir		
From stream to an off-channel reservoir		
From a stream to an on-channel reservoir	✓	
From an off-channel reservoir		
Other method (explain fully, use additional sheets if necessary)		

6) Rate of Diversion (Check (✓) applicable provision):

1. Diversion Facility:

- A. N/A Maximum gpm (gallons per minute)
- B. N/A Number of pumps
- C. N/A Type of pump

E. Portable pump _____ Yes or √ No.

A. Headgate ☒ Diversion Dam 82,070 Maximum gpm

B. Other method (explain fully - use additional sheets if necessary)

D. Return Water or Return Flow (location and quantity information, provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places and indicate the method used to calculate the diversion point location):

Water which is diverted but not consumed as a result of the above stated use, will be returned to

_____, tributary of _____

_____, tributary of _____

Basin, at a point which is at Latitude _____

°□□□N, Longitude _____°W, also, bearing _____

9. _____ (direction), _____ feet (distance) from the

corner of the _____ Original Survey

No. _____, Abstract No. _____, in _____ County, Texas.

Zip Code: _____

Estimated **annual** amount of return flow to said stream will be _____acre-feet.

E. Surplus Water (provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places and indicate the method used to calculate the diversion point location):

Water which is diverted but not used beneficially will be returned to unnamed tributary,

tributary of the Brazos River _____, Brazos River _____ Basin at a point

which is at Latitude 32.25169 °N, Longitude 97.415312 °W, also

bearing N 27 ° 30' E (direction), 850 feet (distance) from the SE corner

of the J.H. Jasper _____ Original Survey

No. P-180, Abstract No. A-137, in Hood County, Texas.

Zip Code: 76049

4. Discharge Point Information (if applicable, provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places and indicate the method used to calculate the diversion point location).

Discharge Point No. or Name: 1

A. Select the appropriate box for the source of water being discharged:

☐ Treated effluent☐ Groundwater

✓ Other runoff

B. Location of discharge point will be/is at Latitude 32.25169 °N, Longitude 97.415312 °W,

also bearing N 27 ° 30' E, 850 feet from the SE corner of the J.H. Casper

Original Survey No. P-180, Abstract No. A-137, in Hood County, Texas.

What method was used to determine the Latitude and Longitude for the discharge point? (i.e., GPS Unit, USGS 7.5 Topographic Map, etc.)

Used satellite map to locate coordinates of existing diversion point

C. Location from County Seat: 5.8 miles in a SE direction from Granbury,
Hood County, Texas.

Location from nearby town (if other than County Seat): N/A miles in a N/A
direction from N/A, a nearby town shown on county highway map.

D. Zip Code: 76049

E. Water will be discharged into unnamed tributary stream/reservoir,
(tributaries) of the Brazos River,
Brazos River Basin.

F. Water will be discharged at a maximum rate of 0.557 cfs (250 gpm).

G. The amount of water that will be discharged is 400 acre-feet per year.

H. The purpose of use for the water being discharged will be returned to the stream.

I. Additional information required:

For groundwater

- 1) Provide water quality analysis and 24 hour pump test for the well if one has been conducted.
- 2) Locate and label the groundwater well(s) on a USGS 7.5 Minute Topographic Map
- 3) Provide a copy of the groundwater well permit if it is located in a Groundwater Conservation District.
- 4) What aquifer the water is being pumped from?

For treated effluent

- 1) What is the TPDES Permit Number? Provide a copy of the permit.
- 2) Provide the monthly discharge data for the past 5 years.
- 3) What % of treated water was groundwater, surface water?
- 4) If any original water is surface water, provide the base water right number.

5. General Information.

A. The proposed ✓ or existing ✓ works will be (are) located on the land of applicant,
whose mailing address is 5301 Country Club Drive Granbury, TX 76049

B. If an application for the appropriation is granted, either in whole or in part, construction works will
begin within N/A after such permit is issued. The proposed work will be
completed within N/A from the date the permit is issued.

C. A Water Conservation Plan is attached? ✓ Yes No.

D. ✓ Interbasin transfer is not requested.

N/A Applicant requests authorization to transfer N/A acre-feet of water per year from the

N/A Basin to the N/A Basin of which
N/A acre-feet of water will be used for N/A purposes and
N/A acre-feet of water will be used for N/A purposes.

E. N/A Bed and Banks request to transfer N/A acre-feet of water per year within the bed and banks of N/A, tributary of N/A
N/A Basin.

F. Is this project located within 200 river miles of the coast? Yes ☒ No ☐ Unknown ☐

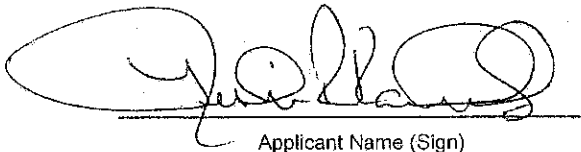
5. Maps, plats, plans, and drawings accompany this application as required by applicable TAC Sections.

☒ Yes ☐ No. Attach additional sheets.

6. NO The dam(s) and reservoir(s) shown on the attached application was (were) constructed for domestic and livestock purposes and I/we elect to seek a permit under Section 11.143 of the Texas Water Code.

7. Provide information describing how this application addresses a water supply need in a manner that is consistent with the state water plan or the applicable approved regional water plan for any area in which the proposed appropriation is located or, in the alternative, describe conditions that warrant a waiver of this requirement.

This application addresses a need for water to sustain a golf course around which an entire community development was constructed. The golf course and development are not sustainable without the appropriation of this water supply. The existing reservoir has been in operation since 1997 and thus should be considered a grandfathered application. The applicant has been under contract with the Brazos River Authority and pays for any volume of water it utilizes.

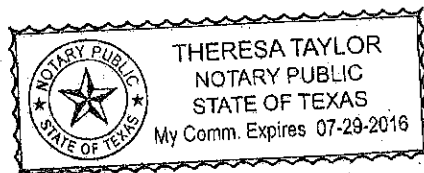

Applicant Name (Sign)

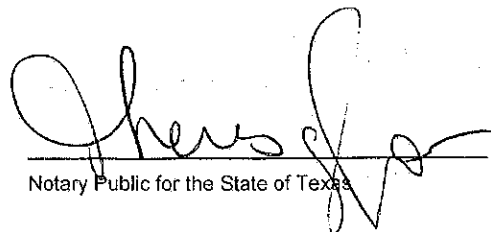

Applicant Name (Sign)

Leslie R Kachel
Applicant Name (Printed)

John Marshall
Applicant Name (Printed)

SWORN TO AND SUBSCRIBED before me this 5 day of Feb, 20 13




Notary Public for the State of Texas